

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRENDA WILLIAMS,

Plaintiff,

vs.

ALLSTATE INSURANCE COMPANY,
a foreign corporation.

Defendant.

Case No. 2:13-cv-15258

Hon. Robert H. Cleland

Magistrate Judge Mona K. Majzoub

CHRISTOPHER J. TRAINOR (P42449)
TIMOTHY M. HARTNER (P66237)
CHRISTOPHER TRAINOR & ASSOC.
Attorneys for Plaintiff
9750 Highland Road
White Lake, MI 48386
(248) 886-8650 / Fax: (248) 698-3321
timothy.hartner@cjtrainor.com

C. DAVID MILLER II (P38449)
GARAN LUCOW MILLER, P.C.
Attorneys for Defendant
1000 Woodbridge Street
Detroit, MI 48207-3108
(313) 446-5561 / Fax: (313) 259-0450
cmiller@garanlucow.com

QUALIFIED PROTECTIVE ORDER
AND AUTHORIZATION PURSUANT TO HEALTH INSURANCE
PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)

At a session of said Court held on:

April 9, 2014

PRESENT: HON. ROBERT H. CLELAND
UNITED STATES DISTRICT COURT JUDGE

1. **IT IS HEREBY ORDERED** that this Court authorizes the disclosure and sharing of Plaintiff Brenda Williams' "personal health information" protected under the Health Insurance Portability and Accountability Act (hereinafter "HIPAA") (42 USC §1320d *et seq.*) and the regulations promulgated thereunder (45 CFR §§160, 164 *et seq.*) pursuant to the terms and conditions contained in this Order.

2. **IT IS HEREBY FURTHER ORDERED** that Brenda Williams' health care providers including, but not limited to examining, testing and/or treating doctors and other medical personnel shall provide copies of all records and may discuss the Plaintiff, Brenda Williams' medical conditions and past, present and future treatment with counsel for the Defendant.

3. **IT IS FURTHER ORDERED** that this Order does not compel the health care provider to participate in an interview or meeting against his or her wishes, nor to occur outside the presence of the health care provider's attorney if he or she wishes to have one present. The purpose of the interview or meeting conducted by attorneys for Defendant and/or their agents is to assist Defendant in defense of the above-referenced action brought by Brenda Williams. The meeting or interview is not at the request of Plaintiff Brenda Williams, however, Plaintiff Brenda Williams and her counsel are on notice of the existence of this order.

4. **IT IS FURTHER ORDERED** that all covered entities under HIPAA, including but not limited to the health care providers, examining, testing and/or treating doctors and other medical personnel of Brenda Williams are authorized and permitted to disclose and/or share Plaintiff Brenda Williams' personal health information to the attorneys or agents of Defendants. The personal health information of Brenda Williams may be provided orally in discussions with Defendant's attorneys and/or agents or in written, visual or other recorded form. The consent of or notice to Plaintiff Brenda Williams and/or her attorneys is not required prior to the disclosure of this information by any health care provider.

5. **IT IS FURTHER ORDERED** that counsel for the Defendant is prohibited from using

or disclosing the protected health information for any purpose other than this action, and upon resolution of this action, counsel for the Defendant who receives written or otherwise recorded protected health care information of the Plaintiff, Brenda Williams, shall destroy or return the information (including all copies made) to the health care provider.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: April 9, 2014

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, April 9, 2014, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522

Williams HIPAA Protective Order.wpd